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FSB's Bill Holds Hidden Dangers for Free Speech

By Paul Goble

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Staunton ◙ Human rights activists have succeeded in eliminating a provision of a Federal Security Service-proposed draft bill on state secrets that would have blocked the media from covering most counterterrorist operations. But another provision of this measure ◙ a provision that places a veil of secrecy over the financing of such operations ◙ has the potential to do more harm.

In an Oct. 20 article in Yezhednevny Zhurnal, Andrei Soldatov, the editor in chief of Agentura.ru and a leading independent expert on Russian intelligence services, said that first victory by media rights activists was partial and that they have ignored this bigger threat to the public's right to know.

About The Columnist

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As approved earlier in October by the State Duma's security committee in the second reading, the bill limits journalists who are collecting information on terrorism to talking with "people in the Special Services themselves, who officially or unofficially enter into contact with the press."

This provision means, in practice, that journalists won't have any opportunity to check the information put out by the security services and thus invites those services to give journalists only the most self-serving information. That will reduce the public's attention to the actions of terrorists and to the mistakes of the security services.

But the Duma committee "left without change" another part of the bill, Soldatov noted, and that measure may have more far-reaching consequences. According to the measure, all information about the financing of anti-terrorist activities is ⊠ at the insistence of the FSB ⊠ to be classified as secret.

Soldatov argued in his article that the FSB's arguments on this point "were not simply weak; they did not correspond to reality." The FSB said it had no choice other than to request this measure, so that it wouldn't be forced to reveal payments to informers and other people that it made "to prevent terrorist actions."

But such payments are already secret under the provisions of the law on the operations of the security services, Soldatov pointed out. The FSB's reasoning suggests that "the actual goal of the new point in the law is to gain the chance to classify any data about financial flows that come from the budget for the struggle with terrorism," he wrote.

If this provision is passed, then people "who do not have access to state secrets ⊠ journalists, the expert community and deputies ⊠ [won't be able] to assess how the Russian special services are spending money on the struggle with terrorism." That, in turn, means that they won't know whether the government is using budget funds effectively or wastefully.

That is no small thing, the Agentura.ru editor said. Soldatov said that "when we speak about the financing of the struggle with terrorism, we are talking about not only the purchase of special weapons and technology for special operations and the payment of agents." In Russia, albeit to "a lesser degree than in the United States," this involves a whole "industry."

Two years ago, Nikolai Patrushev, then-chief of the National Anti-Terrorist Committee, approved a plan for the "struggle with the ideology of terrorism." The program, which runs until 2012, involves "the production of films, the creation of web sites, the holding

of competitions for the best works on counterterrorism, international conferences and festivals and even the publication of artistic literature."

If the budget of these activities is concealed, Soldatov said, then the authors of those propaganda works will be hidden as well, a condition that makes it extremely difficult for people without access to state secrets "to assess the effectiveness of these programs."

Of particular note: Soldatov wrote that he would "like to hear the opinion of specialists about the directive 'to develop and introduce complex psycho-physiological methods of identifying risk groups ('those inclined to terrorist activity') into the practice of specialized medical institutions" for deciding on "prophylactic measures."

It would be interesting to learn "just what measures are being used" ⊠ those of Lombroso or a bit more contemporary, such as eugenics?" And it would be "especially interesting to find out just what funds have already been spent for the development and introduction of such measures."

But what is also curious, Soldatov highlighted, "is that the media and the legal rights community have almost not turned attention to this line in the draft bill. Apparently, the problem is that in our country there have never been undertaken attempts to put under public control government spending for the force structures."

This is the unfortunate "status quo," he concluded. Perhaps it will seem strange to some people that the government is "taking away from us a right that we have never attempted to make use of."

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